

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA, :
 :
 PLAINTIFF, :
 :
 v. : CIVIL ACTION NO.2:05cv1067-C
 :
 ONE PARCEL OF PROPERTY :
 LOCATED AT 1554 SHADY TRAIL :
 WETUMPKA, ELMORE COUNTY, :
 ALABAMA, WITH ALL :
 APPURTENANCES AND :
 IMPROVEMENTS THEREON, :
 :
 DEFENDANT. :

ORDER FOR NOTICE IN REM

TO: THE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF ALABAMA

WHEREAS, a Verified Complaint for Forfeiture In Rem has been filed in the United States District Court for the Middle District of Alabama alleging that the real property and premises located at 1554 Shady Trail Wetumpka, Elmore County, Alabama, with all appurtenances and improvements thereon, was used or intended to be used in any manner or part to commit or to facilitate the commission of a violation of Title 21, United States Code, Section 841 et seq; and, therefore, said real property is subject to forfeiture to the United States pursuant to Title 18, *United States Code*, Section 985, and in accordance with Title 21, *United States Code*, Section 881(a)(7).

The Defendant property is more specifically described as follows:

All that part of the following described property which lies east of the county paved road: The South half of the NE 1/4 and the NE 1/4 of the SE 1/4 of Sec. 33, T. 20, R. 19, containing 120 acres, more or less.

LESS AND EXCEPT those certain parcels heretofore conveyed to George W. Blankenship, Jr. and wife, Ella Frances Blankenship; Billy Warren Jarrett and wife, Joan Jarrett, and Dan P. Jarrett and wife, Joyce Jarrett, more particularly described in Deed Rec. Book 168 page 467, Deed Rec. Book 175, page 475, Deed Rec. Book 189, page 137, and on Deed Cards Numbers 427 and 8223, respectively, Probate Office, Elmore County, Alabama.

The grantor reserves a life estate in the homehouse and one acre of land surrounding the same for his lifetime and the lifetime of any wife which he may have, provide she does not remarry after his death.

And, the Court being satisfied that based upon the Verified Complaint for Forfeiture In Rem there is probable cause to believe that the real property and premises so described was so used or intended for such use, and that grounds for posting a notice of the complaint on Defendant property and serving notice on the Defendant property owner in accordance with Title 18, *United States Code*, Section 985 exist;

YOU ARE THEREFORE HEREBY COMMANDED to execute this Order For Notice In Rem by posting a copy of the Notice of the Complaint on the Defendant real property in accordance with Title 18, *United States Code*, Section 985. The Defendant property shall not be seized or otherwise taken into custody, and the United States Marshals Service is not responsible for the care or maintenance of the property during the pendency of this forfeiture action. Nothing, in this order interferes with the owners' right to

maintain control over this property, their right to occupancy, their right to unrestricted use and enjoyment, and their right to receive rent;

AND FURTHER TO SERVE on the occupant, if any, and the record owner or others who may have an interest in the property, a copy of the Complaint for Forfeiture In Rem, and the Notice of Complaint;

AND YOU ARE FURTHER COMMANDED TO PUBLISH in the Montgomery Advertiser (a newspaper of general circulation in this District) and Wetumpka Herald (a newspaper in the County where Defendant property is located), notice to all persons of this action and the procedures to be followed for making a claim as described in this Order For Notice In Rem. You are further authorized in the exercise of your discretion to publish such notice in additional newspapers as you deem necessary;

Done this 23rd day of November, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE